

AMENDED IN SENATE MARCH 29, 2012

SENATE BILL

No. 1190

**Introduced by Senator Hancock
(Coauthor: Senator Pavley)**

February 22, 2012

An act to amend Sections 123302 and 123320 of the Health and Safety Code, relating to maternal and child health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1190, as amended, Hancock. Women, infants, and children's nutrition.

Existing law, the California Special Supplemental Food Program for Women, Infants, and Children (WIC), under the administration of the State Department of Public Health, provides for the issuance of nutrition coupons, as defined, to certain low-income women, infants, and children who have been determined to be at nutritional risk. Under existing law, the department is required to include specified information on the nutrition coupons and, to the extent feasible, provide the information in a form that may be read by optical scanning technology readily available to vendors. Existing law requires the department to report to the Legislature by March 15, 2002, on the feasibility and costs of providing the information in that form.

This bill would extend that deadline to July 1, 2013 *and additionally would require the department to report to the Legislature regarding which electronic card option the state will use in implementing these provisions, as specified.*

Existing law authorizes the department to design, implement, and fund an electronic benefits transfer (EBT) system for WIC. Existing law requires the department to develop a plan to determine the feasibility

of implementing an EBT system for WIC by January 1, 2003, and to report its findings to the Legislature by July 1, 2003.

This bill would delete the ~~provision requiring~~ *requirements that* the department ~~to develop the feasibility plan and delete the reporting requirement~~ *report its findings*. This bill would require the department to design, implement, and maintain an EBT system for WIC by January 1, ~~2014~~ 2015, subject to funding being provided in the annual budget act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) An electronic benefits transfer (EBT) system for the
4 California Special Supplemental Nutrition Program for Women,
5 Infants, and Children (WIC) has not yet been implemented in
6 California.

7 (b) Existing law directed the State Department of *Public Health*
8 ~~Services~~ to develop a plan to determine the feasibility of
9 implementing an EBT system for WIC by January 1, 2003.

10 (c) The current paper check system is cumbersome, outdated,
11 stigmatizing for participants at the checkstand, and costly to
12 operate.

13 (d) Several other states, including Texas, Michigan, Nevada,
14 and New Mexico, have fully implemented an EBT system for
15 WIC, while Pennsylvania, Oklahoma, and Arkansas are in the pilot
16 phase of implementing an EBT system for WIC.

17 (e) Accordingly, it is the intent of the Legislature to implement
18 an EBT system for WIC by ~~2014~~ *January 1, 2015*.

19 SEC. 2. Section 123302 of the Health and Safety Code is
20 amended to read:

21 123302. (a) (1) Notwithstanding any other provision of law,
22 the department shall design, implement, and maintain an electronic
23 benefits transfer (EBT) system for the California Special
24 Supplemental Food Program for Women, Infants, and Children
25 by January 1, ~~2014~~ 2015. Sections 10066, 10067, and 10068 of,
26 and subdivision (j) of Section 10072 of, the Welfare and
27 Institutions Code, shall apply to the administration of this section.

1 (2) The department may not implement the EBT system required
2 by this section until funding for the system is provided in the annual
3 Budget Act.

4 (b) The department shall seek the advice of the Electronic
5 Benefits Transfer Committee, created by Section 10067 of the
6 Welfare and Institutions Code, in implementing this section, and
7 shall obtain the approval of the United States Department of
8 Agriculture, which is the federal governing agency, prior to the
9 establishment of any EBT system.

10 SEC. 3. Section 123320 of the Health and Safety Code is
11 amended to read:

12 123320. (a) The department shall inform the retail food
13 vendors of, and include in the written agreement with the vendors,
14 guidelines consistent with Section 123315, and shall print on each
15 coupon the following:

16 (1) Specific supplemental foods and the quantities thereof for
17 which the coupon may be redeemed.

18 (2) The period of validity of the nutrition coupon.

19 (3) The maximum value for which the nutrition coupon may be
20 redeemed.

21 (b) To the extent feasible, the information required pursuant to
22 subdivision (a) shall be provided in a form that may be read by
23 optical scanning technology readily available to vendors. The
24 department shall, no later than July 1, 2013, report to the
25 Legislature ~~on~~ *regarding* the feasibility and costs of providing the
26 information in this form, *and regarding which electronic card*
27 *option the state will use pursuant to Section 123302.* This
28 subdivision shall be implemented only to the extent that funds for
29 its purposes are appropriated in the annual Budget Act or another
30 statute.